

HOUSE RESEARCH

Bill Summary

FILE NUMBER: H.F. 451
Version: First engrossment

DATE: March 30, 2015

Authors: Laine and others

Subject: Recognition of parentage; child support

Analyst: Lynn Aves

This publication can be made available in alternative formats upon request. Please call 651-296-6753 (voice); or the Minnesota State Relay Service at 1-800-627-3529 (TTY) for assistance. Summaries are also available on our website at: www.house.mn/hrd/.

Overview

This bill clarifies the effects of a recognition of parentage and modifies the information that must be contained on the recognition of parentage form. It changes the definition of “obligor” for purposes of child support, modifies a calculation to determine potential income, allows a court not to order child support when there is a significant disparity in income, and specifies requirements when arrearages are reported to a consumer reporting agency.

Section

- 1 **Effect of recognition.** Amends § 257.75, subd. 3. Makes structural changes to this subdivision. Clarifies that signing a recognition of parentage does not establish the father’s custody or parenting time unless an action is commenced under chapter 518. But by signing a recognition of parentage, the father has a basis for bring an action to determine custody and parenting time and establishing a child support obligation, among other things.
- 2 **Recognition form.** Amends § 257.75, subd. 5. Lists the specific information that must be included in the recognition of parentage form and requires verification that the parents have seen the educational materials contained on the form and received oral notice of the information on the form.
- 3 **Obligor.** Amends § 518A.26, subd. 14. Strikes the presumption that the parent who has primary physical custody is not an obligor.
- 4 **Methods.** Amends § 518A.32, subd. 2. Modifies one of the methods of determining potential income. Provides that potential income may be calculated by determining the amount a parent could earn working 30 hours per week at 100 percent of the current federal

Section

or minimum wage, whichever is higher. This amendment is being made to comply with recent changes in federal law that become effective July 1, 2015.

- 5** **Income disparity between parties.** Amends § 518A.43, by adding subd. 1a. Allows the court not to order a party who has between ten and 45 percent parenting time to pay basic support when there is a significant disparity in income and the order to pay support would be detrimental to the child.

- 6** **Consumer reporting agency; reporting arrears.** Amends § 518A.685. Requires the public authority to report arrears information to a consumer reporting agency when an obligor is in arrears in an amount greater than three times the monthly court ordered support obligation. Provides that before making a report, the public authority must mail the obligor written notice at least 30 days prior to making the report. Allows the obligor, within 21 days of receipt of the notice, to pay the arrears in full or request an administrative review. If the public authority has reported the obligor to a consumer reporting agency and determines the obligor has paid arrears in full or is paying current monthly support plus the required arrearage payment, the public authority must report this to the consumer reporting agency. Requires the public authority to make monthly reports to the consumer reporting agency if the authority has reported arrearage information under this section.